

139

INAUGURAL ADDRESS

OF

GOVERNOR

Robert C. Wickliffe.

DELIVERED

JANUARY 28, 1856,



BATON ROUGE:
ADVOCATE STEAM POWER PRESS PRINT.
1856.



Digitized by the Internet Archive
in 2017 with funding from

This project is made possible by a grant from the Institute of Museum and Library Services as administered by the Pennsylvania Department of Education through the Office of Commonwealth Libraries

ADDRESS.

Fellow-Citizens :

The oath just administered to me by Gov. P. O. HEBERT, binds me faithfully and impartially to discharge and perform all the duties incumbent on me as Governor of the State of Louisiana, according to the best of my abilities and understanding, and agreeably to the Constitution and laws of the United States, and of this State.

This obligation I intend to perform in good faith—in full accordance with its letter and spirit—with a perfect and solemn appreciation of its magnitude and importance. If I distrust my own ability wisely to discharge the duties of the Chief Magistracy, I am yet sure I shall bring to the performance of them a singleness of purpose, directed exclusively to the promotion of the honor and prosperity of the State.

The power of the Executive in legislation is limited to an approval or disapproval of the acts of the General Assembly ; but it is his constitutional duty from time to time to recommend to the General Assembly the adoption of measures that he may consider essential or conducive to the public good. Such recommendations will be freely made on the proper occasions ; in the meantime, usage has rendered it proper that he should take advantage of the opportunity afforded by his inauguration to announce the policy that he will pursue, and

the policy that in his judgment is demanded by the necessities and interests of the State.

It is deeply to be regretted that the overshadowing power of the Federal Government, in its actual administration should so much divert the attention of the people from a proper consideration of the local wants of their respective States.

In the struggle on the one hand to enlarge, and on the other to limit the power of Congress to those positively delegated, parties are organized with reference to Federal issues alone, our domestic interests touched in every direction, (by our home legislation,) are forgotten, neglected or absorbed in the contest for Federal power.

This practical working of our double systems was not anticipated by the framers of the Constitution of the United States. Had Congress confined itself to the execution of the few grants of power delegated to it by the several sovereignties that compose the Union, the result would have been different, and would not have deviated from that anticipated by our fathers. But Congress has proceeded step by step to extend by implication its power, and to control, develop and modify interests which were left by the Constitution to the operation of natural causes—the sharp rivalry of individual enterprise and the wisdom of State legislation.

It is not my purpose to review the history of what has been justly regarded as the usurpations of Congress; nor to trace out the manner in which its limited powers have been extended to subjects not properly within its control and made to bear on the highest interests, which ought to have been and were reserved as exclusively appertaining to the State Governments.

But I am compelled to say that the steady encroachment made by Congress on the reserved rights of the States, is not only sanctioned but encouraged outrage that, if unchecked, will undoubtedly result in a dissolution of the Union.

I do not wish to speak lightly of the Union; next to the liberty of the citizen and the sovereignty of the States, I regard it as the "primary object of patriotic desire." It should be dear to us as a sentiment, and dearer to us for its real value. But it cannot have escaped observation that the hold which this Union once had upon the affections of the South has been materially weakened, and that its dissolution is now frequently spoken of, if not with absolute levity, yet with positive indifference, and occasionally as desirable.

Some thirty years ago, when a distinguished citizen of the United States said it was time to calculate the value of the Union, a general burst of indignation throughout the country was the patriotic response. *Now, good men and wise men do calculate the value of the Union, and the public heart does not seem to be aggrieved by the comparatively low estimate that is sometimes placed upon it. Misgovernment has produced this lamentable change.*

It should always be remembered that every interpretation of the Constitution not sanctioned by its letter and spirit, forms the *basis* for future *unwarrantable* construction; and we shall go on until in the end the States become mere dependencies, and life, liberty and property shall lie at the mercy of naked majorities of Congress. Such has been, and such is the tendency of Federal legislation. Nor is this all. Disregarding the rights of the States, Congress seems to have looked mainly to the interests of a section of the country, until that favored section has begun to consider the Constitution not only as made for its advantage alone, but actually as a means of aggression upon the rights, the interests and the honor of the Slave States; so that at this time a party has been formed and is in a relative ascendancy in the lower branch of Congress, with no other bond of Union than a settled purpose to make war on the institutions of the South.

Not that these institutions are hurtful to the North, but because they are in conflict with one of the forms of fanaticism which the misguided people of the North have adopted through the designs of artful men, covetous only of their own political advancement.

Unless the progress of this insanity is checked, the Union will soon be a matter of history. Unity of action on the part of the South—a determination, calmly made and bravely executed, to permit no further encroachments, can alone perpetuate the Union of these States; and that Union is not worth preservation if we of the South are to be incessantly engaged in and out of Congress in defending ourselves against the attacks of those who use the Union as a means of aggression upon us.

It has, therefore, become the painful duty of every Southern State distinctly to declare that no further aggression will be permitted, and to invite the coöperation of every State in vindicating to the *last extreme the rights secured by the Constitution, and which are immeasurably of more value than the Constitution itself.*

The South is satisfied with the principles of the Kansas and Nebraska bill, and it is to be hoped they will be adopted by the returning good sense of our Northern brethren. To use the language of Mr. Calhoun, that great statesman, whose sagacity so seldom deceived, and whose wisdom so rarely erred, they are the principles of "Justice, the Constitution, and self government," the principles "only on which the question of Southern rights can be settled. It can be settled on that ground simply by non-action, by leaving the Territories *free and open* to the emigration of all the world, when they become States to adopt whatever Constitution they please with the single restriction to be Republican."

The party cry that no more Slave States are to be admitted

to the Union, is not only an insult to the Slave States—
 not only a direct violation of the Constitution, but if acted
 upon by Congress, will be fatal to the South.

I hold it to be certain, that if the time shall ever come
 when the South shall be in a clear minority in the Senate as
 it is in the House and Electoral College, that the aggressive
 spirit of the North will direct the legislation of Congress, so
 that the South will be obliged to abandon the Union. We
 must always be in a minority in the House of Representatives
 and the Electoral College, and to guard against the wrongs
 that majorities are prone to inflict, the South must not be in
 a minority in the Senate.

It is worse than useless to disguise from ourselves the
 tendency of events. Heretofore, the safety of the South has
 been in party; now its only hope of safety is in party; let us
 seek at a higher security, and that without a change in the
 Constitution, can be found only, in, at least, an equilibrium in
 the Senate. The North struggles to destroy the equilibrium
 that she may have a like ascendancy in every branch of the
 Government: we must have power somewhere to protect our-
 selves. The North demands superiority, not for its protec-
 tion, but for our Union. Whenever, therefore, it shall be
 made to appear that we are not permitted to guard ourselves
 from wrong; whenever it shall be made to appear that no
 more Slave States are to be admitted into the Union, the time
 of a separation will have arrived. Postpone it, and it may
 be impossible; ourselves and our children may become the
 meanest of vassals under the forms of Constitutional law, and
 we shall have forfeited deservedly our heritage of freedom,
 and the memory of our ancestors be but the brand of our
 own shame.

In Democratic governments, such as is that of the State
 of Louisiana, where all power is lodged in the people, and

their will is made known through the ballot box, it is obviously of the first importance that that will should be fairly and freely expressed. Suffrage is both a right and a duty, and the laws to secure the freedom of its exercise should be stringent, stern and free from all ambiguity.

Popular election is the root of popular Government, and popular elections would justly be regarded with scorn, if party combination, individual violence, or the forms of law, the voice of the majority should be suppressed, controlled or disregarded.

The purity of the ballot box, so large a theme for decoration, and so essential to rightful government, is an idle dream, if the protection of the ballot box be regarded as a secondary consequence. As no party excitement can justify or excuse fraud in a voter, so no party excitement can justify or excuse the destruction of the ballot box; and he is a bad citizen of the Republic who would palliate directly or indirectly the acts, the corruption, the intimidation or the violence by which the wishes of the majority are silenced or defeated.

I recur to the scenes recently enacted in New Orleans with pain and humiliation—the polls disgraced by turbulent mobs, ballot boxes broken, men threatened, wounded and murdered. Nor has bloodshed ceased since the election.

The recent political contest has inaugurated an era of *crisis* in New Orleans, heretofore distinguished for her love of peace and order. There must be fault in the law or its administration; there must be something radically defective in the government of the city, and if so, it should be thoroughly remodelled.

I am not aware of any subject of higher importance to the people of this State, than the prosperity of New Orleans; her true interests are the interests of the whole State; her credit is the credit of all; her improvement promotes the

well being of every citizen ; she is the metropolis of the State ; the metropolis of the valley of the Mississippi. No jealousy of her growing greatness should disturb the harmony of our counsels ; nor impatience check a thorough investigation into her wants and condition. A charter that will not hamper the freedom of her action is that which she most needs ; taking care that she shall be without power to inflict injury on the rest of the State, and taking care that her power is not used to taint the purity of the ballot box. There should be a thorough reform in her corporate organization ; a thorough reform in her right of taxation ; all undue restrictions in her commerce should be removed ; all impediments that narrow laws put in the way of her onward march to the great destiny, which most assuredly awaits her, should be promptly and effectually destroyed.

It is impossible for New Orleans properly to govern herself, with each successive year her charter is materially changed ; her charter should be made without regard to party exigencies, and adhered to without regard to party results.

New Orleans exercises a large control in the legislation of the State, and a very large influence in general elections ; hence, every restriction should be placed upon her to prevent her corporate power from being abused to promote party purposes.

It is much to be feared that those who have had, from time to time, the control of the city government, used it to perpetuate their own power, and a vacillating policy in the legislation is the natural and necessary result.

Political ascendancy attained through the unjust or unfair use of municipal power irritates antagonistic political parties, and the defeated combination in a temporary majority in the Assembly, modify the charter to promote its own future success.

Let us strive for better things hereafter, profiting by the past, and trusting that the late disgraceful scenes in New Orleans will be a warning that will be heeded by all good citizens. Give to the city a just charter, and leave the future in her own hands.

It is but recently that Louisiana has been thoroughly awakened to the necessity of internal improvements; years ago, under habits of prodigality, arising from an inflated currency, the State squandered her thousands, and the public mind, so grievously shocked by the entire worthlessness of the result, arrived at the conclusion that the profits of a great enterprise were not worth its cost; but the magnificent fruits that in our sister States, rewarded the energy and the skill of art, gradually awakened us from the apathy into which we had fallen, and contradicted the theories of our own bitter experience.

The Constitution of 1852 opened for us by judicious provisions, large fields of enterprise; the three great works commenced immediately after the adoption of that Constitution, properly received all the encouragement which could be afforded by State aid.

Bearing ever in mind the salutary warnings of the past we should continue to foster these and other works that the times may demand.

Liberal in the assistance which we render, we should be rigid in our scrutiny into their management, and exacting in the restrictions we require for their honest administration.

Bountiful as nature has been to Louisiana, the skill of the Engineer is still essential to her full development. With twenty-five millions of acres of fertile lands, hardly a tenth is in cultivation; with a sea-coast a third in length of the State, we have a tonnage almost in its infancy. With capacity to produce all the cotton needed for the British Empire

and all the sugar required for this great confederacy, we are as yet but laggards in their growth. With thousands of miles of internal navigation, our productions frequently can find no market, and North and South Louisiana are strangers to each other.

Towards the cultivation of these millions of acres, towards the improvement of these miles of navigation, towards cementing together these sections, discreet and timely legislation can do much. As yet nothing, absolutely nothing, has been accomplished.

A fund for internal improvements has existed for years. Large amounts of it have been expended. Yet it would be difficult for even a curious inquirer to discover any benefit that has resulted from it.

It is passing strange that in a popular government, without privileged classes, without stipendiaries on the bounty of the State, mismanagement and recklessness should be tolerated. May the future redeem the errors of the past, and striking boldly and freely at all mal-administration, vindicate the purity and wisdom of republican institutions, while we promote and enlarge our material interests.

Comparing the Constitution of the State framed in 1812 with that of 1845 and of that of 1852, we recognize important and material changes. We have not been indifferent to the progress of opinion, but have modified our government in accordance with views which a large observation seemed to warrant if not require. Our experiment has not been of sufficient duration to justify the conclusion that all the radical innovations made by our successive Constitutions have promoted the common weal.

But it is very remarkable that while we have so thoroughly modified the structure of our government, we have scarcely touched our laws; this is not because complaints are not

heard, nor reforms demanded, but because of the intrinsic difficulties by which the subject is encompassed, and the deep rooted prejudices necessary to be appeased. When the laws of Louisiana which control contracts are, in the main, unobjectionable and not essentially different from those that prevail elsewhere; yet the laws which affect the domestic relations, so far as property is concerned, are singularly at variance with the systems of our sister States, and probably not in accordance with the general sentiment of the people. Louisiana is to a certain degree isolated by them, and if her population does not increase with the rapidity as that of her immediate neighbors, it may be attributable to the numerous objections which exist against our laws concerning husband and wife, parent and child. Community and forced heirship are unknown to our sister States; and it seems to me that the time has arrived for an inquiry into their operation.

Other States have profited by the example set by us of securing the wife in the property which she brings into the marriage, and if we abolish the community, we should imitate them in making provision for the wife out of the estate of the husband.

It may well be doubted whether there is any wisdom in enacting laws to compel parents to love and take care of their children; nature has made these already. It is difficult to answer the argument against forced heirship, which insists that it reverses the true relations between parent and child, making the child independent of the parent, and to that extent at least impairing the parental authority. These and the kindred subject of tacit mortgages should provoke attention and stimulate earnest scrutiny.

There are some reforms, I have no hesitation in saying, are at once demanded, such as the administration of successions, which under existing laws is complex in its details,

difficult to be understood, and expensive to the last degree. I allude to these subjects now, but in a very general way, in order that they may engage public attention; hereafter I shall, in all probability, recommend specifically such reforms as I think the interest of the State demands at the hands of the Assembly.

The Constitution and laws confer on the Executive a qualified power of appointing certain officers. Like all other delegated powers, this is a trust to be used for the benefit of the public. In exercising the authority thus vested, I shall look to the interests of the people. I cannot recognize in any person a claim to public office, not founded in capacity, integrity and good citizenship; party service when fairly and honorably performed, is a duty which every man owes to his country and himself, and so far entitles him to respect and consideration; but something more is needed from him to justify his nomination to public office; he must have the requisite qualifications to do all the law requires, and acting on these principles, I shall appoint no person to any office requiring peculiar skill, who is without the proper education or experience to discharge its duties. I can never consent to appoint to office an incompetent person, in order to enable him to reap its profits, while its labors are performed by a half-paid deputy; I shall feel myself responsible for the efficiency and good conduct of every public officer appointed by me, and I should, indeed, have a heavy burthen to bear if I permitted myself to be guided by any other rule than that which I have thus laid down, and to which I intend steadfastly to adhere.

I have thus endeavored to pass in review very briefly and very generally the leading topics that demand the attention of those interested with the duties of legislation. But I should be doing injustice to my own feelings, if I did

not congratulate you upon the triumph achieved in the recent political struggle in this State, by the friends of Constitutional freedom and religious liberty, over a secret society organized for the purpose of depriving citizens their legal rights, by the unjust, if not unconstitutional version of the legitimate purposes of the ballot box.

In despotic governments, where freedom of speech and freedom of the press are forbidden, and where those who make the laws do not represent those upon whom the laws are to be executed, the rebel patriot may well plan in secret the mode in which tyranny is to be overthrown and liberty established; but in a government like ours, secrecy can only be the badge of wrong.

Truth courts discussion, and there can be no motive for concealment unless the end be evil or the measures adopted corrupt and unlawful. The object of this secret organization was to discriminate between citizens, when the law demands no discrimination, and the means adopted were solemn obligations by which all freedom of action in political life was relinquished, and all individuality merged in obedience to the decrees of others. The purpose and plan deserve and have received the unqualified condemnation of the people.

A difference of opinion may reasonably exist as to the propriety of a modification of the Naturalization laws; but to concur in the opinion that they should be protected from evasion; but the reasoning is necessarily fallacious which can reconcile the exercise of a legal right with the accomplishment of an illegal object..

It has never been denied, so far as I am aware, that one of the objects of that organization, was to prevent a naturalized citizen from holding public office, which the law opened to him as well as the native citizen. To defeat legal rights by indirection, is more reprehensible than to do so directly.

... while neither can be justified, the one, at all events, has
 ... merit, poor though it be, of boldness, while the other
 ... early involves the violation of a moral precept.

The same objections equally apply to the attempt to make
 religion a test for office, when such a test is at war with the
 ... in letter of the Constitution. It is in vain to deny that
 ... h a test was made by the party just defeated, if not
 ... oughout the State, yet certainly in some parts of it; and it
 ... not a little remarkable that those even who repudiate the
 ... i-Catholic test did co-operate and are now affiliating with
 ... very persons who most earnestly insisted upon it. The
 ... uke which this party has received in this State, may teach
 ... ful counsels for the future.

Standing once more on that temple of liberty, framed by
 ... wisdom of our ancestors, let us cling with equal tenacity
 ... every portion of the grand fabric. Differing as we must
 ... on questions of administration, let us preserve in its puri-
 ... the spirit of our great confederation; above all, let us
 ... ve from our political altars, where men of all races and all
 ... eds are permitted to *worship freedom*, the pretended saints
 ... o think that that equality is only for their race and their
 ... ed, as if *all* are not alike children of the same Godhead,
 ... al heirs or legatees of the same liberty.

